



**SAIPAN OFFICE**  
 Second Floor, Nauru Building  
 P.O. Box 501969  
 Saipan, MP 96950-1969  
 Telephone: (670) 234-5684/5  
 Fax: (670) 234-5683  
 E-mail: attorneys@saipan.com

**O'CONNOR BERMAN DOTT & BANES**  
**ATTORNEYS AT LAW**  
**SAIPAN OFFICE**  
 www.pacific-lawyers.com

**GUAM OFFICE**  
 Suite 503, Bank of Guam Bldg.  
 111 Chalan Santo Papa  
 Hagåtña, Guam 96910  
 Telephone: (671) 477-2778  
 Fax: (671) 477-4366  
 E-mail: bermlaw@kuentos.guam.net

**HONOLULU OFFICE**  
 Suite 2800, Pacific Tower  
 Bishop Square, 1001 Bishop Street  
 Honolulu, Hawaii 96813-3580  
 Telephone: (808) 585-8858  
 Fax: (808) 599-4198  
 E-mail: mark@shklovlaw.com

**POHNPEI OFFICE**  
 Second Floor, Ace Commercial Building  
 P.O. Box 1491, Kolonia, Pohnpei,  
 Federated States of Micronesia, 96941  
 Telephone: (691) 320-2868  
 Fax: (691) 320-5450  
 E-mail: bermlaw@mail.fm

August 4, 2006

**Delivered by Telecopy**

Heather L. Kennedy, Esq.  
 Legal Counsel/EEO Officer  
 Public School System  
 P.O. Box 501370  
 Saipan, MP 96950  
 Fax: (670) 664-3798 or 664-3713

Ben DeMoux  
 Attorney General's Office  
 Caller Box 10007  
 Saipan, MP 96950  
 Fax No. 664-2349

**Re: *Lisa Black v. PSS, et al.***

Dear Heather and Ben:

I have received your responses to the most recent round of my client's discovery requests. My client will have to take issue with several of your responses and I would like to make this my first attempt to "meet and confer" on these issues.

Firstly, Mr. Brewer's responses to the Third Set of Request for Production object and fail to produce for several of the requests. With regard to the grant information, it is our position that any attempt to justify my client's termination with a perceived failure to comply with grant requirements is a pretext and that will be apparent when compared to the level of compliance with other awardees (like Mr. Brewer). Also, I will direct you to our filings regarding your clients' refusal to identify documents that support their contentions as found in our pending motion to compel. Like PSS, if Mr. Brewer wishes to use specific documents to support his factual contentions at trial, he needs to identify them specifically.

Secondly, Mr. Brewer's responses to the Third Set of Interrogatories raise a few more issues. First, several responses refer to other answers and/or documents produced. This is improper under our Rules of Civil Procedure as each interrogatory must have its own independent answer. Additionally, since my client has pled a colorable claim for punitive damages as against Mr. Brewer, his financial information is discoverable.

Thirdly, as to both Mr. Brewer and PSS, the answer to the Special Interrogatory is unacceptable. Objections to document introduction can resolve now, far in advance of trial. This interrogatory was designed to streamline the process and get this done up front. This is not asking anyone to do anything that they will not do at some time. Both Defendants will have to formulate these objections and they should be handled up front instead of doing so on the fly and in front of a jury.

Finally, the answers by PSS to the interrogatories regarding the Governor's Grants are unacceptable as well. It is incredible that PSS had my client's grant information but now claims that the grant information for other teachers can only be obtained from the Governor's office. Additionally, as I explained above, since it is clear that the perceived noncompliance with grant requirements will be used as a justification for my client's termination, the relative compliance of other teachers not terminate is very relevant and discoverable.

These are the concerns that I have after a quick review of your responses. I may find more over the weekend and Mike will be bringing this all up on Monday when he meets you for Lisa's deposition. We hope to be able to resolve this then, but if not, we will file another Motion to Compel on shortened time so that these issues may be cleared up on the hearing on Thursday, August 10, 2006, as well.

If you have any questions, please feel free to call.

Very truly yours,

A handwritten signature in black ink, appearing to read "George L. Hasselback", written in a cursive style.

George L. Hasselback, Esq.